

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

THIS DOCUMENT RELATES TO:  
  
ALL ACTIONS

CASE MANAGEMENT ORDER

Clerk: Martha Parker Brown  
Reporter: Lee-Anne Shortridge

Plaintiffs' Attorneys: Joseph Saveri, Kelly Dermody, Brendan  
Glackin, Dean Harvey, Anne Shaver, Lisa Cisneros,  
James Dallal

Defendants' Attorneys: Bob Van Nest, Dan Purcell, and Lee  
Rubin for Google, Inc.; Gregory Stone for Intel Corp.;  
David Kiernan and Lin Kahn for Adobe Systems, Inc.;  
George Riley and Christina Brown for Apple, Inc.;  
Craig Stewart for Intuit, Inc.; Emily Henn for Pixar  
and Lucasfilm Ltd.

A case management conference was held on October 21, 2013. A further case management conference is set for December 18, 2013, at 2 p.m.

The Court GRANTED IN PART and DENIED IN PART Plaintiffs' Administrative Motion to File Under Seal Portions of Plaintiffs' Motion for Preliminary Approval of Class Settlement for the reasons stated on the record. *See* ECF No. 504. Specifically, the Court ruled as follows:

- The Court DENIED the Motion to File Under Seal the 5% figure on line 24 of page 2 and line 13 of page 13 of Plaintiffs' Motion for Preliminary Approval of Class Settlement.
- The Court DENIED the Motion to File Under Seal Attachment 1 to Plaintiffs' Settlement Agreements with Intuit, Lucasfilm, and Pixar.
- The Court DENIED in part and GRANTED in part the Motion to File Under Seal Exhibit D to Plaintiffs' Settlement Agreement with Intuit and Exhibit E to Plaintiffs' Settlement Agreement with Lucasfilm and Pixar. Specifically, the Court DENIED the Motion to File Under Seal the job titles of Lucasfilm and Pixar because these titles are already public information. The Court GRANTED the Motion to File Under Seal all other information.

- Plaintiffs shall file within seven days the documents subject to this order in accordance with the Court's rulings.

The Court ordered Plaintiffs' to file a Declaration from the Claims Administrator regarding ensuring the security of private data by October 25, 2013. Plaintiffs shall also file PDFs of the revised notice, claim form, and proposed order pursuant to the Court's instructions by October 25, 2013. In addition, Plaintiffs shall email these documents in Word to the Court's proposed order inbox.

The Court continued the mediation deadline from November 15, 2013, to December 13, 2013.

The Court altered the page limits for Defendants' dispositive motions as follows:

- Defendants shall file a joint motion for summary judgment addressing common issues not to exceed a total of 15 pages. Plaintiffs shall file an opposition to the joint motion not to exceed a total of 15 pages. Defendants shall file a joint reply not to exceed a total of 10 pages.
- Defendants shall file a motion for summary judgment addressing issues specific to individual Defendants not to exceed a total of 36 pages (9 pages per Defendant). Plaintiffs shall file an opposition not to exceed a total of 36 pages. Defendants shall file a reply not to exceed a total of 25 pages.
- Thus, Defendants have a total of 51 pages for their motions for summary judgment and a total of 35 pages for their replies. Defendants may allocate these pages to common issues and individual issues as they see fit as long as they comply with these overall limits.

The remainder of the limits and deadlines remain as set in this Court's May 15, 2013 Case Management Order. The page limitations are as follows:

- **DISPOSITIVE MOTIONS**

- Plaintiffs shall file one joint motion for summary judgment not to exceed 14 pages. Defendants shall file one joint opposition not to exceed 14 pages. Plaintiffs shall file one reply not to exceed 10 pages.

- **DAUBERT MOTIONS**

- The parties' *Daubert* motions shall be limited to a total of 25 pages per side, with oppositions not to exceed a total of 25 pages per side, and replies not to exceed a total of 15 pages per side.

- **MOTIONS *IN LIMINE***

- Defendants combined shall file motions in limine not to exceed a total of 40 pages. Plaintiffs shall file oppositions not to exceed a total of 40 pages. Defendants combined shall file replies not to exceed a total of 30 pages.
- Plaintiffs shall file motions in limine not to exceed a total of 25 pages. Defendants combined shall file oppositions not to exceed a total of 25 pages. Plaintiffs shall replies not to exceed a total of 15 pages.

The case schedule is as follows:

INITIAL EXPERT REPORTS: October 28, 2013

REBUTTAL EXPERT REPORTS: November 25, 2013

REPLY EXPERT REPORTS: December 11, 2013

1 EXPERT DISCOVERY CUTOFF: December 23, 2013

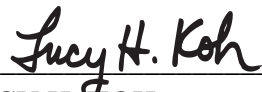
2 DISPOSITIVE MOTIONS and *DAUBERT* MOTIONS shall be filed no later than January 9, 2014.  
3 The parties' oppositions are due February 6, 2014. The parties' replies are due February 27, 2014.  
4 The hearings on the parties' dispositive motions and *Daubert* motions shall be set for March 20,  
2014, at 1:30 p.m., and March 27, 2014, at 1:30 p.m. By March 6, 2014, the parties shall file a joint  
statement regarding the distribution of summary judgment and *Daubert* motions for the March 20  
and March 27 hearing dates.

5 PRETRIAL CONFERENCE DATE is May 8, 2014, at 1:30 p.m. By April 7, 2014, the parties  
6 shall exchange their witness and exhibit lists. By April 10, 2014, the parties shall file their  
7 respective Motions *in Limine*. By April 17, 2014, the parties shall file their respective oppositions  
to the Motions *in Limine*. By April 24, 2014, the parties shall file their respective replies to the  
Motions *in Limine*.

8 JURY TRIAL DATE is May 27, 2014, at 9:00 a.m. The trial length is estimated to be 17 days.

9  
10 **IT IS SO ORDERED.**

11 Dated: October 21, 2013

  
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LUCY H. KOH  
United States District Judge